



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3020738
Applicant Name: Shawn Bowen
Address of Proposal: 9600 College Way North

SUMMARY OF PROPOSED ACTION

Land Use Application to install two changing image signs on campus at North Seattle Community College.

The following approval is required:

Variance to allow a changing image sign in a Multifamily zone.
(SMC 23.55.022.B)

Variance to allow a changing image sign in a Major Institution Overlay.
(SMC 23.69.021.A.2)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site Location & Description: North Seattle Community College (the College) is located on an approximately 62 acre parcel in the North College Park neighborhood near Northgate. The site is split zoned as MIO-37-LR3, MIO-50-LR3, MIO-105-LR3, and MIO-37-LR1.

Two reader board signs currently exist along the approximate 1,300 feet of frontage the College has along College Way N. These are located at the northwest and southwest corners of the site.

College Way N is a minor arterial extending north from N 92nd Street to 103rd Street, where it becomes Meridian Ave N. In this section, College Way N has a vegetated median strip.

The site is bound by I-5 to the east, predominantly single-family structures to the south and west, and a mix of commercial and multi-family structures to the north.

Proposal Description: The proposal is to remove to existing 6 foot by 10 foot illuminated, double faced signs and replace with two 5 foot 10 inch by 9 foot 3 inch illuminated double faced electronic changing-image signs on existing concrete bases. One sign would be next to the northernmost vehicle entrance near the intersection of College Way N and N 100th Street. One sign would be located near the southwest corner of the site, near the intersection of College Way N and N 92nd Street.

Applicable Development Standards:

Code Section	Standard	Request
SMC 23.55.022.B	No flashing, changing-image, or message board signs shall be permitted in multifamily zones.	Allow a changing-image sign in a LR3 zone.
SMC 23.69.021.A.2	No flashing, changing-image, message board signs or signs using video display methods, shall be permitted in Major Institution Overlay Districts.	Allow a changing-image sign in a Major Institution Overlay District.

Public Comment: The public comment period ended on 8/26/2015. DPD received no comment letters.

ANALYSIS – VARIANCE

Pursuant to SMC 23.40.020. C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis for the variance requested follows each statement of required facts and conditions.

- 1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity;*

The College is on a very large parcel of land and has buildings set back more than 100 feet back from the street front property line. In addition, the site is separated from nearby residential zones by a 60 foot right of way with vegetated median strip. These conditions act to separate the College from the community around it. The appearance of the College from College Way N is of driveways, a staircase, parking lots, tennis courts, and buildings at a distance.

The following chart describes the conditions found for other similarly permitted signs at both public and private schools.

TABLE 1

Previously Approved Changing Image Signage

	O'Dea High School	Ballard High School	Rainier Beach High School	Ingraham High School	Blanchet High School
Zone	High Rise /HR 185 ft. to the Commercial zone to the north and across the street from the Major Institutional overlay to the east	L2/ Neighborhood Commercial (split zoned property)	Lowrise/L-3 Commercial zone to the south and west and L-1 to the north	SF7200 C2 zoning begins 172 ft. west of the campus	SF5000 Multifamily (L-3) zoning begins approx. 500 ft. to the south west (transitions to Commercial zoning approx. 1,000 ft. away)

Permit Status	Issued	Issued	Issued	Issued	Approved, not yet issued.
Location	Mid-point along east prop line across from Major institutional overlay (MIO) and from a Commercial zone	South façade of the building closer to the SW corner of the site, in the commercially zoned portion of the lot	Proposed along south prop line closer to the SW corner of the site,	Along arterial (N. 130 th), closer to the SW corner of the site,	Mid-point along north property line and approx. mid-block along the arterial (N. 85th St.).

The O’Dea sign is located in High Rise (HR) zone, the most intensive multifamily zone, and is across the street from a Major Institutional Overlay District and just south of a Neighborhood Commercial (NC) zone. The Ballard High School sign is on the commercially zoned portion of a split zoned lot, and the proposed sign for Rainier Beach would be located on the portion of a multifamily zoned lot that is directly across the street from a Commercial zone. The changing image signage for Ingraham is located in a single family zone, on an arterial, mid-block, approximately half a block from a Neighborhood Commercial (NC) zone to the west.

The strict application of the Land Use Code would not allow a sign with an electronically controlled changing message, which the applicant states is needed for enhanced visibility due to its location and surroundings, and would deprive the school of rights and privileges enjoyed by other schools with changing image signs.

2. *The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;*

To allow a changing image sign on two signs being replaced in their existing configuration with a changing image capability would allow the College to obtain a level of convenience and effectiveness in its communication with the community around it and of its own staff and students now commonly enjoyed by educational institutions, as described in response to criterion 1. It would not be a grant of a special privilege.

The minimum necessary for this function would be an image which is static in its content, without scrolling or flashing, which adjusted the light intensity to respond to the ambient light level, becoming significantly dimmer after dark, and which is off between 10:00 p.m. and 7:00 a.m. each day.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located;*

Conditions to limit movement, the use of video display, daytime versus nighttime illumination levels, and hours of operation mitigate the potential detrimental effects to motorists, pedestrians and nearby property owners. As conditioned, the sign will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;*

Advances in sign design and construction mean that changing the message on a reader board can now be done electronically, however the Land Use Code does not allow for electronic “changing image signs” in Major Institution Overlays (MIOs) or in Lowrise Multi-family Residential zones such as the LR zones at this site. The applicant asks to allow an upgrade to the existing manually changed reader board which would address the practical difficulty of message maintenance on the existing sign by allowing for messages to be changed from a computer terminal inside the building as opposed to sending someone out to take down and repost letters manually.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code and adopted Land Use regulations for the area.*

The Land Use Code provides for a Variance process for relief from conditions and situations that the rules of the Code could not anticipate (such as advances in technology), to evaluate specific site conditions and to consider conditions for like uses across the city (i.e. schools in residential zones). At the same time, the intent of Code provisions prohibiting the use of changing image signs is to limit the amount of distraction and intrusion of signs into the lives of those around them. Conditions to limit the use of the changing image function of the proposed signs aids in reconciling these two considerations.

DECISION – VARIANCE

Based on the plans, and the above findings, and analysis of all the facts and conditions stated in the numbered criteria of SMC 23.40.020, the variance request is **GRANTED WITH CONDITIONS.**

CONDITIONS – VARIANCE

For Life of the Project

- 1) The signs shall be operated as text only display signs with no flashing (or light level or color changes that mimic flashing), with no streaming, no picture images, and no video display.
- 2) Daytime illumination levels shall be timed to automatically dim at night and during inclement weather and shall also account for seasonal light level fluctuations.
- 3) Hours of operation are limited to 7 a.m. to 10 p.m. with the message portion blank in other hours.

Katy Haima, Land Use Planner II
Department of Planning and Development

Date: November 30, 2015

KH:bg

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.